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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.
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08/979,567 11/26/97 SHIOTA

K 2091-0145P-S

002292 TM02/0605
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EXAMINER

HEWITT II.C

ART UNIT

PAPER NUMBER

2161

DATE MAILED:

06/05/01

Please find below and/or attached an Office communication concerning this application or proceeding.

Commissioner of Patents and Trademarks

Office Action Summary

Application No.

08/979,567

Applicant(s)

SHIOTA ET AL.

Examiner

Calvin L Hewitt II

Art Unit

2161

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136 (a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 04 May 2001.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☐ Claim(s) _____ is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-3,5-15,17-21 and 23-27 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claims _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are objected to by the Examiner.
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. § 119

- 13) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).

Attachment(s)

- 15) ☒ Notice of References Cited (PTO-892)
- 16) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 17) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____
- 18) ☐ Interview Summary (PTO-413) Paper No(s) _____
- 19) ☐ Notice of Informal Patent Application (PTO-152)
- 20) ☐ Other:

Status of Claims

1. Claims 1-3, 5-8, 10-15, 17-21 and 23-27 have been examined.

Claim Rejections - 35 USC § 103

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 1-3, 5-8, 10, 13-15, 17-21 and 23-27 are rejected under 35 U.S.C. 103(a) as being unpatentable over Moghadam et al, U.S. Patent No. 5,799,219 in view of Farros et al., U.S. Patent No. 5,930,810 and PC Magazine Online ("Photo Finishing on the Web").

As per claims 1-3, 5, 6, 11-13, 18, 19 and 25-27, Moghadam discloses a picture print ordering system comprising the steps of recording picture image data obtained by reading a developed film at a primary and secondary storage unit (figure 4). Moghadam provides for the generation, display and input of printing service related data such as size, quantity, availability and service provider (figures 3 and 5; column 1, lines 55-64; column 4, lines 1-46; column 6, lines 1-10 and 35-67; column 7, lines 3-26; column 8,

lines 1-26). Regarding high resolution images, Moghadam discloses user selection of image resolution (column 6, lines 1-10 and 54-55). Therefore, it would have been obvious to one of ordinary skill in the art to apply the system of Moghadam to high resolution image processing. Although, a user of the Moghadam system utilizes a plurality of print service related data in order to facilitate remote image processing (column 6, lines 1-55; column 8, lines 1-26), it is not however, explicit as to whether this data is displayed to the user. Farros et al. teach a printing system that allows a user to view print service information that includes a plurality of attributes (figures 1, 4, 7 and 10; column/line 10/38-11/21) and price data (column 4, lines 37-66). And like Moghadam (figures 3 and 4), Farros et al. teach primary and secondary storage units, as well as using a communications network to produce a user defined "finished product" (figure 4; column 2, lines 60-67; column/line 3/65-4/15; column 7, lines 6-36; column/line 8/9-9/31; column 10, lines 1-36; column 11, lines 22-67). Therefore, it would have been obvious for one of ordinary skill of the art to combine the teachings of Moghadam and Farros et al. Both teach systems that apply modern technological innovations to visual data processing. Specifically, they allow users to communicate processing specifications (e.g. place an order) directly with service providers over a global network. However, by implementing the system with visual verification and a receipt ('810, column 11, lines 22-67), a user of the Moghadam system can provide evidence of service request in the event of processing or payment errors.

As per claims 7, 14, and 20, they are similar to claim 2. Therefore, the rejection of claim 2, is being applied to claims 7, 14 and 20.

As per claims 8, 15 and 21, they are similar to claim 3. Therefore, the rejection of claim 3 is being applied to claims 8, 15 and 21.

As per claims 10, 17, and 23, they are similar to claim 5. Therefore, the rejection of claim 5 is being applied to claims 10, 17 and 23.

As per claim 24, it is similar to claim 18. Therefore, the rejection of claim 18 is being applied to claim 24.

Conclusion

4. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Calvin Loyd Hewitt II whose telephone number is (703) 308-8057. The examiner can normally be reached on Monday-Friday from 8:30 AM – 5:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, James P. Trammell, can be reached at (703) 305-9768.

Any response to this action should be mailed to"

Commissioner of Patents and Trademarks

C/o Technology Center 2700

Washington, D.C. 20231

Art Unit: 2161

or faxed to:

(703) 308-9051 (for formal communications intended for entry)

or:

(703) 308-5397 (for informal or draft communications, please label

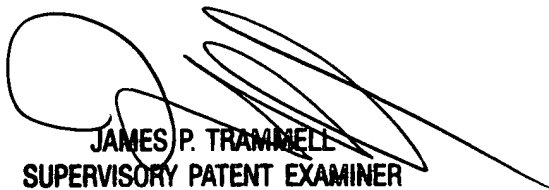
“PROPOSED” or “DRAFT”)

Hand-delivered responses should be brought to Crystal Park II, 2121 Crystal Drive,
Arlington, VA, Sixth Floor (Receptionist).

Any inquiry of a general nature or relating to the status of this application should
be directed to the Group receptionist whose telephone number is (703) 305-3900.

Calvin Loyd Hewitt II

May 29, 2001


JAMES P. TRAMMELL
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2100